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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/719,474	11/21/2003	Richard A. Graff	Graff-P2-03	3621
28710	7590	02/14/2006	EXAMINER	
PETER K. TRZYNA, ESQ. P O BOX 7131 CHICAGO, IL 60680			VIG, NARESH	
			ART UNIT	PAPER NUMBER
			3629	

DATE MAILED: 02/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/719,474

Applicant(s)

GRAFF, RICHARD A.

Examiner

Naresh Vig

Art Unit

3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>20051114</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

This is in reference to response received 28 November 2005 to the office action mailed 20 June 2005. There are 8 claims, claims 1 – 8 pending for examination.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1 – 4 have been considered but are moot in view of the new ground(s) of rejection. Applicant's arguments and concerns are responded to in response to pending claims below.

### ***Claim Rejections - 35 USC § 102***

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Graff US Patent 5,802,501.

Regarding claims 1 and 5, Graff teaches method and computer apparatus for changing signals to separately value components temporally decomposed from property

Art Unit: 3629

(real estate). Graff does not explicitly teach residential property. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made that residential property is also a real estate.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Graff real estate type to be residential real estate.

Graff teaches:

an input device operable for converting input data representing the residential property into input signals representing the input data [Claim 1].

a computer having a processor, the processor connected to the input to receive the input computer signals, the processor programmed to change the input signals to produce modified signals representing a separate market-based valuation of each of a plurality of components temporally decomposed from the property, the components including a residential estate for years interest and a residential remainder interest [Claim 1].

an output device connected to the processor to convert the modified signals into an illustration including the respective valuation of each of the components [claim 1].

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2 – 4 and 6 – 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Graff US Patent 5,802,501 in view of Principles of Shariah Governing Islamic Investment Funds printed from [www.albalagh.net](http://www.albalagh.net) hereinafter known as Albalagh.

Regarding claims 2 and 6, Graff does not explicitly teach at least one of the valuations reflects that there is a terminal rent recovery period for the residential estate for years interest. However, Graff teaches plurality of recovery values including cost recovery. However, Albalagh teaches in Shariah governing Islamic Investment, Ijarah funds can be used purchase asset like real estate. Ownership of the asset remains with the fund (lessor) and the rentals are charged from the users (lessee). Sukuk represent pro rated ownership of their holders. The rental must be fixed and known to parties right at the beginning (terminal rent recovery period) [Albalagh, page 6].

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Graff as taught by Albalagh and include terminal

Art Unit: 3629

rent recovery period to conform to Shariat Financing to function as per Islamic Economic System.

Regarding claims 3 and 7, as responded to earlier, it would have been obvious to one of ordinary skill in the art at the time the invention was made to Graff in view of Albalagh teaches at least one of the valuations reflects that the residential estate for years interest is an augmented estate for years interest and the residential remainder interest is a complementary remainder interest.

Regarding claims 4 and 8, as responded to earlier, it would have been obvious to one of ordinary skill in the art at the time the invention was made to Graff in view of Albalagh teaches at least one of the valuations reflects that the residential estate for years interest is an augmented estate for years interest and the residential remainder interest is a complementary remainder interest [Albalagh, page 6, 7].

**Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 CFR '1.111 (c) to consider the references fully when responding to this office action.

1. Seyad Shariat Finance

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naresh Vig whose telephone number is (571) 272-6810. The examiner can normally be reached on M-F 7:30 - 6:00 (Wednesday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Naresh Vig  
Examiner  
Art Unit 3629

February 6, 2006